

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Advanced Television Systems ) MM Docket No. 87-268  
and Their Impact upon the )  
Existing Television Broadcast )  
Service )

To: The Commission

**OPPOSITION TO PETITION FOR RECONSIDERATION**

Telemundo Group, Inc. ("Telemundo"), by its attorneys and pursuant to Section 1.429 of the Commission's Rules, urges the Commission to adopt a policy to protect and preserve low power television ("LPTV") stations during the DTV transition period, including, when possible, the reassignment of certain full power stations to alternate frequencies upon a request by a threatened existing LPTV station. However, Telemundo cannot support petitions that exclusively seek special protection of a single entity's LPTV stations, 1/ unless the Commission affords the same level of protection to all similarly situated LPTV stations.

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1/ See, e.g., South Central Communications Corporation, Petition for Reconsideration of *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, Sixth Report and Order*, FCC 97-115 (April 21, 1997) ("*Sixth Report and Order*") (filed June 13, 1997); Trinity Christian Center of Santa Ana, Inc., Petition for Reconsideration of *Sixth Report and Order* (filed June 13, 1997); Univision Communications Inc., Petition for Reconsideration of *Sixth Report and Order* (filed June 13, 1997).

Telemundo agrees that LPTV stations that offer Spanish language programming to large Hispanic audiences provide an immensely valuable service that the Commission should strive to protect in developing DTV allotments. <sup>2/</sup> Telemundo would therefore endorse a policy that would permit parties to request a change in the DTV allotment of a particular full power station when that change would preserve a LPTV station without displacing other operational LPTV or full power outlets. But the Commission should not indiscriminately choose to preserve *only* any single entity's LPTV stations. It should not offer blanket protection for the LPTV stations identified by any one particular entity in its petition for reconsideration unless it does so based on a broader policy decision to protect *all* similarly situated LPTV stations, such as all those LPTV stations that transmit Spanish language programming.

Telemundo has also noted that certain petitions for reconsideration would permit the Commission to amend the proposed DTV Table in a manner that would preserve the ability of LPTV stations to continue to serve their communities. For instance, the Commission's grant of the petition of Smith Broadcasting of Santa Barbara Limited Partnership ("Smith"), which seeks a change in the DTV allotment of its Television Broadcast Station, KEYT-TV, Santa Barbara, California, would not only better maintain KEYT-TV's service to its community, but would permit an existing LPTV station, K27EI, Santa Maria, California, to continue to serve its audience. <sup>3/</sup> This

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<sup>2/</sup> See Univision Communications Inc., Petition for Reconsideration of *Sixth Report and Order* (filed June 13, 1997) at 17-18.

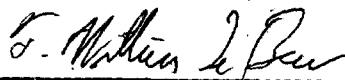
<sup>3/</sup> Smith Broadcasting of Santa Barbara Limited Partnership, Petition for Reconsideration of *Sixth Report and Order* (filed June 13, 1997).

potential for enhancing two separate television broadcast stations' abilities to preserve their existing services to the public offers a persuasive reason for the Commission to shift KEYT-TV's DTV allotment to a channel that would both save K27EI and more fully replicate KEYT-TV's current service area.

For the foregoing reasons, Telemundo would ask that the Commission deny any request for special treatment of certain LPTV stations unless it uniformly protects *all* similarly situated low power and translator television stations, such as all LPTV stations that carry foreign language programming, and that the Commission grant petitions for reconsideration and otherwise take actions, wherever possible, that would have the effect of preserving existing low power and translator television services.

Respectfully submitted,

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Dated: July 18, 1997

**CERTIFICATE OF SERVICE**

I, F. William LeBeau, an attorney at the law firm of Hogan & Hartson  
L.L.P., do hereby certify that on this 18th day of July, 1997 caused to be delivered the  
foregoing Opposition to Petition for Reconsideration by first class mail, postage prepaid  
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